

**RULES & REGULATIONS
FOR VOTER REGISTRATION
ADOPTED BY THE
RHODE ISLAND BOARD OF ELECTIONS**

The Rhode Island Board of Elections hereby adopts the within rules and regulations relating to voter registration pursuant to and in accordance with R.I. Gen. Laws §§17-7 et seq. and 17-9.1 et seq..

Said rules and regulations are adopted pursuant to the Administrative Procedures Act (R.I.G.L. §42-35 et seq.) and are available for public inspection at the offices of the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island.

Section 1. Purpose

The within rules and regulations are adopted by the Board of Elections for the purpose of implementing the voter registration requirements of United States Public Law 107-252 (“Help America Vote Act of 2002”, heretofore referred to as “HAVA”) and to address those voter registration issues not otherwise specifically referred to in the Rhode Island General Laws.

Section 2. Definitions

“Board of Canvassers” or “Local Board” shall mean the board of canvassers in a city or town.

“Board of Elections” or “State Board” shall mean the Rhode Island Board of Elections.

“Central Voter Registration System (“CVRS”) shall mean the single, unified, centralized, interactive computerized statewide voter registration list maintained and administered by the Office of the Secretary of State. The CVRS shall be the official voter registration list for the conduct of all federal, state and local elections in Rhode Island and shall include the name and registration information for every registered voter in the state.

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“Confidential Identification Number (“Confidential ID”)” shall mean, in the case of a new registrant, the verified Rhode Island driver’s license number or the last four (4) digits of the social security number or, in the case of an applicant for voter registration who does not have a RI driver’s license or social security number, the unique identification number assigned to the registrant in the CVRS by the Secretary of State. In the case of a current registrant, the confidential ID shall mean the number assigned by the Secretary; which number may be the registrant’s driver’s license number or any other number assigned by the Secretary; provided, however, that if the voter’s verified RI driver’s license number or last 4 digits of his/her social security number can be determined through information provided on the voter registration form or in response to an official election mailing the confidential identification number shall be amended to reflect the receipt of said information.

“Secretary of State” or “Secretary” shall mean the Office of the Secretary of State of Rhode Island.

“Verified Rhode Island Driver’s License” or “Verified Last 4 Digits of Social Security Number” shall mean the RI driver’s license number or the last 4 digits of the social security number provided by the registrant which is matched with his/her driver’s license number or last 4 digits of the social security number in the Division of Motor Vehicles’ (DMV) database; provided, however, that if the driver’s license number or last 4 digits of the social security number furnished by the registrant does not match the information in the DMV database or, if the applicant fails to provide a driver’s license number or the last 4 digits of his/her social security number, but election officials are able to determine that a driver’s license or social security number in said database matches the name and date of birth of the registrant said number shall be deemed the registrant’s verified driver’s license or social security number, unless determined otherwise by election officials.

“Voter Identification Number (“Voter ID”)” shall mean the number assigned to each registered voter in the CVRS by the Secretary of State.

“Voter Registration Agency” shall mean an office designated by the state board to perform voter registration activities. Offices so designated include: Board Of Elections, Office of the Secretary of State, local boards of canvassers, Division of Motor Vehicles, Department of Human Services, Department of Mental Health, Retardation & Hospitals, Department of Health Women, Infants & Children program, armed forces recruitment offices and any other offices designated by the state board.

Section 3. Manner Of Voter Registration

Persons may register to vote in Rhode Island by completing a Rhode Island Voter Registration Form or, a voter registration application prepared by the Federal Election Commission or Election Assistance Commission (EAC) or, in a manner and format prescribed and authorized by the Board of Elections.

Section 4. Rhode Island Voter Registration Form

The Rhode Island Voter Registration Form shall be as specified and authorized by the Board of Elections. The data elements included as part of voter registration shall include, but not be limited to, the following: (See “Attachment A – Rhode Island Voter Registration Form”)

Item 1. Declaration of “Citizenship” & “Age”

The applicant shall be required to check the appropriate “Yes” or “No” boxes indicating whether or not he/she is: a) a citizen of the United States; and b) will be 18 years of age on or before election day. The applicant shall be informed if he/she answers “No” to either question he/she is ineligible to register to vote.

Item 2. Rhode Island Driver’s License Number / Last 4 Digits of Social Security Number

The applicant shall provide his/her Rhode Island driver’s license number if the applicant has been issued a current and valid Rhode Island driver’s license. In the case of an applicant who has not been issued a current and valid driver’s license he/she shall provide the last 4 digits of his/her social security number. An applicant who does not have a Rhode Island driver’s license or social security number shall place a check mark in the box provided indicating that he/she does not have a RI driver’s license or social security number.

Item 3. Applicant’s Full Name

The applicant shall enter his/her last name, first name and middle name (or initial.)

Item 4. Home Address (where the applicant currently resides)

The applicant shall enter the full address of the location where he/she resides including the street number and name, or rural route number and box, apartment number (if applicable), city or town and zip code. (Note: A post office box shall not be considered a residence address.)

Item 5. Mailing Address (address where mail is received if different from #4)

If an applicant has a mailing address which is different from the home address (Item #4) the applicant shall record that address in the space provided.

Item 6. Date of Birth

The applicant shall include the month, day and year of birth.

Item 7. Phone Number or E-Mail Address

The completion of this data element is optional.

Item 8. Party Affiliation

An applicant may choose to register with a “recognized” political party in Rhode Island by placing a check mark in the appropriate box. An applicant who does not wish to register with a party shall check “Unaffiliated.” An applicant who leaves Item #8 blank

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or who includes the name of a political organization which is not a “recognized” political party in Rhode Island will be registered as “Unaffiliated.”

Item 9. Affirmation, Signature & Date

The applicant shall be required to:

- a) sign his/her name (or, if appropriate, place his/her mark), in ink,; and
- b) enter the date on which he/she completes the registration form.

Item 10. Applicant Requiring Assistance

If the applicant is unable to complete the voter registration form the person who assisted the applicant shall record his/her name and address and phone number (phone number is optional).

If, however, assistance was provided to the applicant by a staff member of a voter registration agency at which the voter registration was executed, it shall not be necessary for the staff member providing said assistance to complete this item.

Items 11, 12 & 13 need only be completed by persons who are registered voters and who have changed their Name And/Or Address

Item 11. Last Year You Voted

The applicant shall record the last year he/she voted in a primary or election.

Item 12. Under The Name Of

If an applicant is registered to vote and has since changed their name, the registrant’s name, as recorded on their previous registration, shall be included here.

Item 13. Your Previous Address

If an applicant was previously registered to vote from another address (other than that entered in Item #4), then the previous address including the street number and name, city or town, state and zip code shall be entered here.

The state board shall prepare and make available instructions for completing the Rhode Island Voter Registration Form.

Section 5. Submission Of Voter Registrations

The manner in which voter registrations may be submitted and the effective date of registration shall be as follows:

- 1) **“In-Person” registrations** are those registrations which are delivered “in-person” by the applicant or are completed by the applicant at a local board of canvassers, the state board, the Office of the Secretary of State or any other location where election officials are available to assist registrants and receive the registration forms. The effective date of registration of said registrations shall be the date of submission of the completed¹ registration form to the state or local board.
- 2) **“Third Party” registrations** are those voter registrations which are delivered by someone other than the applicant to either the state board or local board canvassers. The effective date of registration of said registrations shall be the date of submission by the “third party” of the completed¹ registration form to the state or local board.
- 3) **“Agency” registrations** are those voter registrations which are executed at state agencies by persons applying for services and are forwarded to the state board or local board of canvassers by the agency at which the registration was executed. The effective date of registration of said registrations shall be the date of execution of the completed¹ registration form at the agency.
- 4) **“Mail” registrations** are those registrations which are mailed through the United States Postal Service or delivered by commercial carrier to the state board or a local board of canvassers. The effective date of registration for said registrations shall be the date the completed¹ registration form is postmarked; provided, however, that if there is no postmark or the postmark is illegible **and** the registration form is received within 5 days of the registration deadline, then the application is effective on the last day to vote for that election. If there is no postmark or the postmark is illegible and the registration form is received more than 5 days **after** the registration deadline, then the effective date of registration is the date received by the state or local board, as the case may be.
- 5) **Division of Motor Vehicles (“DMV”) registrations** are those registrations executed at, and transmitted by, the DMV in the manner prescribed by the state board. The effective date of registration of said registrations shall be the date of execution of the completed¹ registration at the DMV.

The state board may provide for the transmission and acceptance of voter registrations in a manner other than that prescribed herein and shall determine the effective date of registration for any alternative means of registration which may be permitted.

Section 6. Incomplete And Defective Voter Registrations

Registrations which are determined to be incomplete or defective by election officials shall be treated in the manner prescribed below.

A) Except as provided in Section 6B and Section 7 herein, if any information on the voter registration is missing or is incorrect the local board shall forthwith notify the applicant and give him/her the opportunity to remedy the defect; provided, however, that an applicant whose registration is incomplete or defective shall be required to provide the missing information and/or remedy any defects by the twentieth (20th) day preceding the next succeeding election.

If the applicant responds to the notice and remedies the defect within the prescribed time frame the effective date of registration shall relate back to the date that the registration was initially submitted.

If the applicant fails to provide the missing information, other than party information, on or by the twentieth (20th) day preceding the next succeeding election, the registration shall be rejected and the applicant notified of the rejection.

B) A voter registration will not be accepted or processed and will be returned to the applicant if:

- 1) the applicant fails to respond to the questions regarding age and citizenship on the voter registration form (Item #1 on the Rhode Island Voter Registration Form) or answers “No” to either or both questions;
- 2) the applicant fails to sign the registration form.

A voter registration which is not accepted or processed due to the failure of the applicant to complete either or both of the items listed in Section 6(B) shall forthwith be returned by the local board and the applicant notified of the reason the registration was not accepted.

Notwithstanding the provisions and requirements of this section, election officials shall accept and process a registration form which has been signed and submitted by an individual who is currently a registered voter in Rhode Island and who is submitting said form for the purpose of changing his/her name and/or address or to change his/her political party affiliation.

Section 7. First-Time Voter Registration Applicants In Rhode Island – Verification Of Information

A) First-Time Applicants Providing A Rhode Island Driver’s License Number Or Last 4 Digits Of Social Security Number

The driver’s license number or last 4 digits of an applicant’s social security number as provided on the voter registration form by an applicant registering to vote for the first-time in Rhode Island shall be entered into the

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statewide Central Voter Registration System (“CVRS”) and compared with the information in the database of the Rhode Island Division of Motor Vehicles (“DMV”) to verify the accuracy of the information provided. After comparing the information provided by the applicant with the information in the database of the DMV, the registration shall be processed as follows:

- 1) *If the driver’s license number or last 4 digits of the social security number, as provided by the applicant, **can** be matched with the information in the database of the DMV, the application for registration will be accepted and processed and the applicant added to the state’s official list of registered voters. The driver’s license number or last 4 digits of the social security number, as the case may be, shall become the registrant’s Confidential Identification Number.*

- 2) *If the driver’s license number or last 4 digits of the social security number, as provided by the applicant, **cannot** be matched with the information in the database of the DMV, but the name and date of birth of the applicant **can** be matched with a driver’s license number or social security number in said database, the applicant shall be added to the state’s official list of registered voters and the driver’s license number or the last 4 digits of the social security number, as the case may be, matching the applicant’s name and date of birth shall become the registrant’s Confidential Identification Number.*

If, upon being notified of said Confidential ID, the registrant asserts that the number assigned is not his/her driver’s license number or the last 4 digits of his/her social security number, he/she shall be required to present a copy of a current and valid Rhode Island driver’s license or social security card to the local board which number shall, upon verification, become the registrant’s Confidential ID.

If it is determined that an applicant has neither a valid Rhode Island driver’s license or social security number the registration shall be processed in the manner prescribed in Section 7C.

- 3) *If the driver’s license number or last 4 digits of the social security number, as provided by the applicant, **cannot** be matched with the information in the database of the DMV, and the name and date of birth of the applicant **cannot** be matched with a driver’s license number or social security number in said database, the application for registration shall be processed in the manner prescribed in Section 7C.*

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- B) First-Time Applicants Who Indicate They Do Not Have A Rhode Island Driver's License Number Or Social Security Number **Or** Who Fail To Indicate Whether Or Not They Have A Driver's License Or Social Security Number **&** For Whom The Name & Date Of Birth **Can Be Matched** With A Driver's License Or Social Security Number

A first-time applicant in Rhode Island who fails to indicate on the voter registration form whether or not he/she has a valid Rhode Island driver's license or social security number or indicates on said form that he/she has not been issued a valid Rhode Island driver's license or social security number and for whom election officials are able to match the name and date of birth provided by the applicant with a driver's license or social security number in the database of the DMV shall be added to the state's official list of registered voters and the driver's license or last 4 digits of the social security number, as the case may be, matching the applicant's name and date of birth shall become the registrant's Confidential Identification Number.

If, upon being notified of said Confidential ID, the registrant asserts that the number assigned is not his/her driver's license number or the last 4 digits of his/her social security number, he/she shall be required to present a copy of a current and valid Rhode Island driver's license or social security card to the local board which number shall, upon verification, become the registrant's Confidential ID.

If it is determined that an applicant has neither a valid Rhode Island driver's license or social security number the registration shall be processed in the manner prescribed in Section 7C.

- C) First-Time Applicants Who: 1) Cannot Be Matched With A Rhode Island Driver's License Number Or Social Security Number; **Or**, 2) Indicate They Do Not Have A Rhode Island Driver's License Or Social Security Number **Or** Who Fail To Indicate Whether Or Not They Have A Driver's License Or Social Security Number **&** For Whom The Name & Date Of Birth Is **Unable To Be Matched** With A Driver's License or Social Security Number

A first-time applicant in Rhode Island who: 1) cannot be matched with a current and valid Rhode Island driver's license number or social security number; or, 2) fails to indicate on the voter registration form whether or not he/she has a Rhode Island driver's license or social security number or who indicates on said form that he/she has not been issued a Rhode Island driver's license or social security number and for whom election officials are unable to match the name and date of birth provided by the applicant with a driver's license or social security

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number in the database of the DMV; shall be added to the state's official list of registered voters and have a unique voter identification number assigned to him/her in the CVRS by the Secretary of State. Said number shall be deemed to be the person's Confidential ID. At the time of adding the registrant to the state's official list of registered voters, the local board shall designate said registrant as being required to provide the appropriate identification prior to voting and shall send a notice informing him/her of the requirements which must be met prior to or at the time of voting, which shall be:

- 1) in the case of an individual who votes in person and who presents himself/herself to the appropriate election official at the time of voting:
 - a) a current and valid photo identification; or
 - b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.
- 2) in the case of an individual who votes by mail, submits with the ballot:
 - a) a copy of a current and valid photo identification; or
 - b) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

Notwithstanding the provisions of Section 7(C)(1) and (2), an applicant may present the required identification to the appropriate local board at the time of submitting his/her registration or at any time prior to voting. Forthwith, after receipt or presentation of the appropriate identification, the local board shall indicate on the applicant's voter registration record the receipt or presentation of the requisite identification.

Moreover, notwithstanding any other provisions of these rules and regulations, a person filing a declaration of candidacy whose application for voter registration is subject to the requirements of Section 7(C) shall be required to present the necessary identification to the appropriate local board prior to or at the time of filing said declaration.

Section 8. Identification Numbers Of Registered Voters

A) Voter Identification Number (“Voter ID”)

All individuals currently on the state’s official list of registered voters as well as all new registrants whose registrations are accepted and processed pursuant to the within rules and regulations shall, in a timely manner, be assigned a voter identification number, as defined in Section 1, by the Secretary of State.

B) Confidential Identification Number (“Confidential ID”)

The Secretary of State shall, in a timely manner, include in the CVRS the confidential identification number, as defined in Section 1, for all new and current registrants pursuant to the within rules and regulations.

To the extent permitted by law, all confidential identification numbers shall remain confidential, and shall only be available to election officials solely for election purposes, and shall not be part of the public record or available for public inspection.

Section 9. Implementation

The Board of Elections shall effectuate the within rules and regulations, in whole or in part, as soon as practicable, subject to the development and implementation of all the required hardware, software, forms and systems necessary to execute the provisions of said rules and regulations. The Board may, at its sole discretion, adopt policies and procedures which provide for a transition period wherein, among other things, voter registrations submitted during this period or executed on forms in circulation prior to the enactment of the within rules and regulations may be accepted subject to the terms and conditions established by the Board.

These rules and regulations are adopted this _____ day of December 2003 pursuant to the Administrative Procedures Act (R.I.G.L. 42-35-1, *et seq.*).

By Order of the
Rhode Island Board of Elections

Robert J. Fontaine, Executive Director

¹ An application for voter registration which is deemed to be incomplete or defective, or whose information cannot be verified by election officials, shall be treated in the manner prescribed in Sections 6 and 7 of the within Rules & Regulations.